Revenue (1922) Department.

Miscellaneous SERIES.

G.O. No. 1347

DATED 22-7-22

[Despatch Abstract.]

Assignment – land (South Kanara) – River margins – encroachments – Discretion to Collector

Rev 1688 E 12-21.
Regd 22-6-22

REVENUE DEPARTMENT.

REVENUE B 1299 07.-22

B

mb? E VP 19.6.22 19.6.22

CURRENT No.

Received 19-6-1922 *Registered* 19-6-1922

Subject

Assignment - Land (South Kanara) - River margin - Encroachment.

ENCLOSURES.
No.
Spare copies

Reference No. B.2163-22-1.

Station Madras, *Dated the* 16th June 1922.

From

H.R.Uzielli, Esq., I.C.S.,
Secretary, Land Revenue. and
The Board of Revenue, ~~Revenue~~ Settlement, ~~etc.~~
~~Separate Revenue.~~

To

M.E.Couchman, Esq., I.C.S.,
Commissioner of Land Revenue.

~~Resolution~~
Reference.

G.F.Paddison, Esq., I.C.S.,
Commr. of Land Revenue and Settlement.

~~Resolution~~.

(5) The Board begs to invite the attention of Government to their order No.141 Mis., Rev., dated the 20th January 1922 regarding the reservation of margins on either side of streams. The present first Member of the Board (Mr.M.E.Couchman) who has had long experience of the South Kanara District considers that no harm is likely to be caused in this District by the occupation of river banks in South Kanara. On the other hand when such places are planted up, the banks are usually protected with stone revetments which prevent erosion. To maintain the strict rule would, in the opinion of the Board, cause

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cause much unnecessary correspondence and annoyance to the ryots without any advantage. The Board therefore requests that Government may be pleased to modify the orders in G.O.No.141 Rev., dated the 20th January 1922 so as to allow the Collector full discretion in the matter. The local conditions are quite unlike those on the east coast.

17-6-22

Secretary.

To

The Secretary to Government,

Revenue Department.

A.S.R.N./17-6-22.

17.6

[CO 1688E/22] From the Board of Rev
(L.R. + Sett.) No B; 21.63.22-1
dt 16-6-1922.

Assignment - land - (South Kanara)
- River margin - Encroachment.

To under Secy.

Please see the Board's Reference in the C.F. It is for orders whether, in the circumstances stated by the Board of Rev. the orders in G.O. No 141 Rev dt 20-1-1922 will be modified.

(S) The order in the G.O. was issued in consultation with Mr Graham who has had experience of S. Kanara Assessments there is a difference of opinion. It has been suggested. Course seems to be to let the order already issued stand.

The Board may be informed that Govt. do not see sufficient reason to modify the order.

P.R. 22.6.22

P.H.(S) 23/6/22

H.G. 27.6.22.

S

Sd/- A.D. Gillan Commissioner for Govt

[illegible]

[illegible]

[illegible]

Confidential

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Received in the fair-copying section 4.7.22

Copied by S.C. 4.7.22

Examined by Ehl 4.7.22

Signed 4.7.22

Despatched Ehl 4.7.22

Revenue Deptt.

D.O.No. 0-1688 E/22-1 dt 3 .7.22

My dear Conchman,

Assignment - Land (South Kanara) - River margin - Encroachment - Reference from the Board of Rev., C.R. Deptt., No. B.2163-22-1 dt 16.6.1922.

C.F

I am to enclose copy of a note by R.A. Graham dt 25.12.21 on the question of the assignment of accretions of land along banks of streams in South Kanara and to enquire whether, in the light of the remarks contained therein especially in regard to lands in the lower reaches of the rivers, you ~~will kindly allow~~ would kindly recommend suitable diversion ~~in the numbers~~ to the Collectorate concerned.

P.H. & Eco. 141 Rev - S. 20.1.22

Yours sincerely,

Ehl 3/7/22

Cdlr 30.6.22

1.7.22

To,

W.E. Conchman Esq., I.C.S.,

Comm^r of Land Revenue.

DESPATCHED

-4 JUL 1922

Ehl

Rev 1853 E
Regd 12.7.22

4 / D - 4215 E
Augt 10 '22

BOARD OF REVENUE,
(LAND REVENUE AND SETTLEMENT)
M A D R A S.

D.O.No. 102

Dated 6th July 1922.

My dear Leigh,

Your D.O. of 3rd instant regarding accretions of land along streams in South Kanara.

Referring to Graham's note, it is not proposed to assign them as a matter of course, but to give the Collector full discretion. To do anything else would be a very grave error. It would, as the Collector says, lead to numerous suits against Government which we could not defend with any prospect of success but this is the least of the evil consequences. It has been the immemorial practice of landowners to protect their banks by revetments, which are absolutely necessary in a country where the force of the current in the monsoon is so great. None of the rivers are under any form of Government control. Up to the present time, the private parties concerned have found no difficulty in protecting themselves against any erosion which might be caused by the erection of these revetments by their neighbours.

The rivers usually broaden out in their tidal portions into wide estuaries. It has for a long time past been the policy of the Revenue authorities to encourage the reclamation of portions of these estuaries whenever this appears unobjectionable. Such lands are very valuable and fertile. I remember when I was Collector selling a swampy accretion in the river near Mangalore for about Rs.40,000/-. It is now a flourishing cocoanut plantation and sugar-cane land and no complaint has ever been made of any harm to anyone by erosion.

May I point out that I have been nine years in South Kanara (four as Special Settlement Officer) and that both Ellis and the present Collector agree with my view? If I may say so, Graham's objection is purely theoretical and it would be a deplorable error for Government to attempt to restrict the discretion of the Collector in order to guard against an

imaginary danger which no one has ever complained of, and which in fact <u>does not exist</u>.

Yours sincerely

W.C. Bonerjee.

To

E.W. Legh Esq.,I.C.S.,

To Under Secy-

Please see Secy's note on p. 4 ante.
The file is subtd.

D.R.D
12.7.22

12.7.22

[illegible]

Box. H. 35
Civic 14.7.22
R.J. 17.7.22

In view of the strong views expressed by Mr. Conchman who possesses long & personal Experience of Conditions in S Canara, I agree with him.

Even the first G.O. (Flag R- which Office wrongly quoted as Flag S) intended that each case should be decided according to its merits. The Board also laid emphasis on this. What is possible in Tanjore may not be desirable in S Canara we need not adopt a uniform rule everywhere regardless of conditions

As above.
17/7/22

15.7.22

7

To Under Secy

A draft order is subd.

D.R.D
19.7.22

20/7

Sectt. II-10 (a)—26,596 -11-4-21.

Revenue DEPARTMENT.

	Date.	Initials.
When received for Fair-copying.		
When copied ..	24-7-22	TKG
When examined ..	[illegible]	[illegible]
When signed ..		
When despatched ..	24/7	[illegible]

Assignments - land (South Kanara) - River margins - encroachments - discretion to Collector.

READ AGAIN G.O. No. 157 Rev, dated 21. 1. 1921. (R)

" " " " 141 " " 20. 1. 1922. (S)

READ ALSO:—

U. No. 1688 E From the Board of Rev. Lr. No. B. 2163-22-1, dated 16. 6. 1922.

" " " " " " 192 .

" " " " " " 192 .

ORDER. No. 1347 dated 22. 7. 1922.

Mis.

(S)

that the rule prescribed in G.O 157 Rev dt 21-1-1921 that land within 50 links of the banks of streams shd ordinarily be reserved as pramboke and not assigned be relaxed in the case of S. Kanara and

In modification of G.O. No 141 Rev. dt. 20. 1. 1922, the Govt. approve of the recommendation of the Board of Rev. that the Collector of South Kanara should be given discretion to assign unobjectionable encroachments on river beds or margins (even within such limits) in cases where he thinks it advisable (when making such assignments) the Collector should keep in view the principles laid down in B.P. No. 1990 Sett. dt. 2. 11. 1920 when assigning lands on the

vide B.P. abp. 2 of the G.O. (S)

abp 2 of G.O. 157 dt. 21-1-21 (R)

DESPATCHED 24 JUL 1922

To the Bd. of Rev. (I.R. Sett.)

banks of streams

D.R.D
19.7.22

To the Board of Rev. L R of H.